

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:03-CR-85-F1

UNITED STATES OF AMERICA)
)
 v.)
)
BRUCE CARROLL CALLAHAN, JR.,)
 Defendant.)


ORDER

This matter is before the court on the Bureau of Prison's letter [DE-41]. BOP requests clarification regarding Callahan's sentence, which was imposed while Callahan was in North Carolina state custody awaiting sentencing on two state criminal convictions for armed robbery/assault with a deadly weapon (state case numbers: 04CRS001081 and 07CRS050971). This court's judgment did not indicate whether Callahan's federal sentence should run concurrent with or consecutive to his anticipated state sentences in these cases. However, the state court chose to run these sentences concurrent with Callahan's federal sentence.¹ As this court's judgment did not reference the state sentences in those cases and the state court chose to run them concurrently, the court's view is that the state court's decision should be controlling. Of course, this does not apply to the relationship between Callahan's sentence in state case 96CRS7379 and his federal sentence, which this court ordered must run consecutively. Judgement [DE-26] at 2. The Clerk of Court is DIRECTED to forward a copy of this order to Mr. Jose Santana at the BOP address listed at the top of the letter.

¹ The state court indicated that the sentences should run "concurrently with any sentence [Callahan is] now serving." BOP Letter [DE-41]. The court interprets this language as including Callahan's federal sentence.

SO ORDERED.

This the 17 day of July, 2014.



JAMES C. FOX
Senior United States District Judge